IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 26934 of 2005

Between:

Navayug Seva Samithi (Regd.) 406,

V.V.Vintage, Boulevard, 61093,

Rajbhavan Road, Somajiguda,
Hyderabad, represented by its Vice President

Sri Surender Agarwal

..... PETITIONER

AND

State of Andhra Pradesh represented by the

Commissioner of Police,

Basheerbagh, Hyderabad and 4 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, directing the respondents to allot NTR Stadium, situated opposite to Indira Park, lower Tankbund Road, Hyderabad, to the petitioner-trust for conducting Yoga Meditation Camp from 05.02.2006 to 12.02.2006, the present writ petition is filed.

Heard the learned counsel for the petitioner as well as the learned standing counsel for Municipal Corporation, Hyderabad and the learned Government Pleader for Home.

The petitioner is a Trust, registered under Andhra Pradesh (Telangana Area) Public Societies Act, 2001 and it involved in organizing Yoga Meditation camps, Satsangh discourses in order to promote spiritual as well as physical knowledge among the persons. It is stated that the petitioner-trust previously also conducted one Yoga Meditation camp at NTR Stadium, near Indira Park from 29.09.2004 to 05.10.2004 after obtaining necessary permission from the 5th respondent successfully with the appreciation of one and all from 28.09.2004 to 04.10.2004, which was benefited to the several people of the twin cities and other areas of the State of Andhra Pradesh in improving their physical health as well as the mental peace and tranquility.

It is stated that the petitioner-trust has made an application 04.11.2005 before the 5th respondent, seeking permission to permit them the NTR Stadium for the purpose of conducting Yoga Meditation Camp, and also filed an application before the Commissioner of Police, Basheerbagh, Hyderabad on 08.12.2005 seeking permission to conduct Yoga Meditation camp at NTR Stadium, from 05.02.2006 to 12.02.2006. The 5th respondent vide his letter No.843/PG/S1/MCH/2005, dated 22.11.2005, informed the petitioner, stating that the High Court of Andhra Pradesh in WAMP.No.3347 of 2003, dated 30.10.2003 has directed that the Municipal

Corporation of Hyderabad will not permit the NTR Stadium to be used for the purpose of holding Meetings, Dharnas, Picketing etc., and use of loud speakers with amplifiers disturbing the peace of the locality, and accordingly, the petitioner was informed that the NTR Stadium cannot be provided for conducting Yoga Meditation Camp from 05.02.2006 to 12.02.2006. Thereafter, the petitioner addressed a detailed letter dated 12.12.2005 justifying its genuineness to give permission to conduct Yoga camp in NTR Stadium from 05.02.2006 to 12.02.2006.

It is stated that though this Court in WAMP.No.3347/2003, by order dated 30.10.2003, directed not to permit the NTR Stadium to be used for the purpose of holding meetings, dharnas, picketing etc., the

5th respondent, vide his letter No.843/PG/S1/MCH/2004/2367, dated 24.08.2004, granted permission, permitting the petitioner-trust to conduct Yoga Meditation camps at NTR Stadium, Hyderabad from 28.09.2004 to 04.10.2004, on fulfilling certain conditions as conducting of Yoga Meditation camps cannot be termed as using the NTR Stadium for holding meetings, dharnas, picketing etc., It is further stated that Sri Acharya Balakrishna, Secretary General, Patanjali Yogpeeth (Trust) Haridwar, vide his letter dated 08.12.2005, informed that Sri P.P.Swami Ram Dev Ji Maharaj has agreed to conduct Yoga Science Camp at Hyderabad from 06.02.2006 to 12.02.2006, and as per his consent, the Patanjali Yogpeeth (Trust) granted rights of all arrangements to the petitioner-trust for successful organization of the camp at Hyerabad and also furnished necessary guidelines and other relevant material pertaining to organization of Camp to the petitioner-trust.

It is the case of the petitioner that Pranayamam/Yoga classes taught by Sri P.P.Swami Ram Dev Ji Maharaj will improve the physical health, mental peace and tranquility. It is further stated that several thousands and lakhs of people are benefiting by the said Pranayamam/Yoga physical exercises and the national health is also improving. Unless the individual health is improved, it cannot be said that there is development of the nation. Health of the individuals is the health of the nation. Aim of Sri Ram Dev Ji Maharaj is to make deceased free India.Therefore, I am of the opinion that there cannot be any justification on the part of the respondents in refusing to grant permission for conducting Yoga Meditation Science camp by Sri P.P.Swami Ram Dev Ji Maharaj. There cannot be any better public purpose than this for making use of the said NTR Stadium. It is stated that except the petitioner no other concern applied to make use of the NTR Stadium from 06.02.2006 to

12.02.2006.

A perusal of the orders of this Court in WAMP No.3347/2003, dated 30.10.2003 goes to show that the respondents are prohibited to make use of the said NTR Stadium only for the purpose of conducting meetings, dharnas, picketing etc. By any stretch of imagination, conducting of Yoga Science Camp at Hyderabad, making the persons to learn breathing exercises, Meditation and physical exercises, cannot be termed as of holding meeting, dharnas, picketing etc. I am of the opinion that conducting of Yoga Science camp is in the interests of public for improvement of their physical and mental health, particularly in respect of the persons who attends and also all others who witnesses the same through TV channels all over India. It is also brought to the notice of this Court that this Court in W.P.No.23260/2004 by order dated 15.12.2004, permitted Sant Shree Asaramji Ashram Trust to hold Satsang in the NTR Stadium, subject to certain conditions and the Rashtreeya Swayam Sevak Sangh was also permitted by order dated 18.11.2005 in W.P.No.21059 of 2005 to hold drill of the activists and physical exercises such as Yoga, Surya Namaskarams etc. followed by the address of the President of the Organisation.

Having regard to the facts and circumstances of the case, the respondents are directed to permit the petitioner-trust for conducting Yoga Science Camp/Yoga Meditation Camp at NTR Stadium, Hyderabad from 05.02.2006 to 12.02.2006, subject to fulfillment of certain conditions that may be imposed by the respondents and on complying with the necessary formalities, and the police also shall ensure to take all adequate steps to regulate the traffic and parking, avoiding inconvenience to the public. The respondents are directed to issue necessary permission to the petitioner-trust, after complying with all formalities by the petitioner-trust, within a period of one week from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

_____

V.ESWARAIAH,J

Dated: 19.12.2005

Dsr

Note:

Issue CC in three days

B/o

Dsr